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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO. :

09/966,137

APPLICANTS

Thomas KRAHN et al

FILED

: September 28, 2001

FOR

Masking Background Fluorescence and Luminescence in Optical

Analysis of Biomedical Assays

ART UNIT

1641

EXAMINER

P. Do

March 30, 2004

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

I. Timeliness, Fees and Certifications in lieu of Fees

This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

Application No. 09/966,137 Applicant: Thomas KRAHN et al Information Disclosure Statement

II. **Copies of Listed References**

Copies of all references listed on the attached Form PTO-1449 are being supplied. Copies of U.S. patents are not included pursuant to Pre-OG Notice dated July 11, 2003.

III. **Concise Statement of Relevance**

All references listed on the attached Form PTO-1449 are in the English language, and, therefore, a concise statement of relevance is not required.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

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For Kurt G. Briscoe, Reg. No. 33,141

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing Information Disclosure Statement and the accompanying Form PTO-1449 (One Sheet), and copies of cited references are being deposited with the United States Postal Service as express mail under label No. EV383033197US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Date: March 30, 2004

LIST OF PATENTS AND PUBLICATIONS APPLICANT'S INFORMATION					orney Docket: 100717-6	Serial No.: 09/966,137				
O 1 P DISCLOSURE STATEMENT					plicant: Thomas KRAH	Examiner: P. Do				
/ 	(Form PTO-1449)				Filing Date: September 28, 2001 Art Unit: 1641					
U.S. PATENT DOCUMENTS										
Examiner's	Si y	Document Number	Date		Name	Clas	Sub Class		Filing Date If appropriate	
	AA	5,082,768	1/21/92		Burd et al.	435	7.92 12/28/90		8/90	
	AB									
	AC									
	AD									
	AE									
	AF									
FOREIGN PATENT DOCUMENTS										
		Document Number	Date		Country	Clas	Sub S Class	Tra Yes	Translation Yes No	
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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)										
AQ Wan CP, Park CS, Lau BH; "A Rapid and Simple Microfluorometric Phagocytosis Assay"; Journal of Immunological Methods; 162(1993): pgs. 1-7										
	AR	Journal of Immunological I	viculous	, 10	72(1773). pgs. 1-7	<u> </u>				
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EXAMINER:					DATE CONSIDERED:					
• EXAMINER: Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant.										